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UNCLAS SECTION 01 OF 02 MASERU 000290

SIPDIS

DEPT FOR AF/S AND INR/AF

E.O. 12958: N/A

TAGS: PGOV LT

SUBJECT: 2007 ELECTIONS DISPUTE: POLITICAL DIALOGUE POSTPONED  
INDEFINITELY

REF: A) MASERU 279 B) MASERU 269 C) 07 MASERU 223 AND PREVIOUS

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Summary  
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¶1. Multi-party talks on the dispute over the allocation of proportional representation seats following the 2007 national elections began on Wednesday, August 19, 2009, as scheduled. The Christian Council of Lesotho (CCL) Mediation Panel met with representatives of Lesotho's political parties at the United Nations Development Program (UNDP) conference hall in Maseru to resume the talks that started a fortnight ago. The Independent Electoral Commission (IEC) was in attendance as were several ministers from the governing Lesotho Congress for Democracy (LCD): Deputy Prime Minister Lesao Leholha, as well as Ministers of Foreign Affairs, Local Government and Chieftainship Affairs, Communications, Science and Technology, and the Minister in the Office of the Prime Minister. The leader of the largest opposition party, the All Basotho Convention (ABC), was also present. The talks concluded on Wednesday with no date set for the next session.

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CCL Panel presides over smooth negotiations, but no progress made  
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¶2. The CCL Panel was made up of Archbishop Bernard Mohlalisi of the Roman Catholic Church; Bishop Phillip Mokuku of the Anglican Church; Reverend Mokhahlane and Reverend Sente Nthabane of the Lesotho Evangelical Church; and Reverend Daniel Rafube of the African Methodist Episcopal Church. Talks were reported to have gone smoothly. However, the two sides have different views about a High Court judgment pertaining to the case filed by Marematlou Freedom Party (MFP) in 2007 (reftel c), which is one of the central facets of the dispute. [Comment: These differing views will likely lead to another impasse in the negotiations. End Comment.]

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What will it take to get an agreement?  
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¶3. The talks were open only to the stakeholders and the civil society organizations involved in the mediation process. According to the Lesotho Council of NGOs, the agenda for subsequent talks will focus on:

- Reaching a common understanding on the interpretation of the judgment of the High Court in the case of MFP vs. the IEC.
- Allocation of the Proportional Representation seats.

- Status of the Leader of the Parliamentary Opposition.

¶4. Since the discussion on the first agenda item was not finalized, the CCL mediation panel will hold talks with governing party and opposition parties and try to find common ground and the way forward. The mediation panel advised political leaders to avoid making statements that may discourage the nation on the outcome of these talks -- including on progress that has been made so far. They also requested the media to report responsibly on these issues. The CCL concluded by appealing to Basotho to exercise patience while the talks are continuing and to pray to God for their success.

¶5. Some local analysts expressed fear that the current situation may lead to voter apathy in the local government elections scheduled for April 2010. Opposition parties have already begun boycotting meetings convened by the IEC aimed at making preparations for the elections. Rumors circulating in Maseru suggest opposition parties are planning to boycott the local government elections and the 2012 national elections if there is no progress in the political dialogue. Opposition parties have also expressed discontent regarding the governing party's monopoly control of state television and radio. Unconfirmed reports say civil society organizations are planning to invite the local diplomatic corps to exert pressure on the GOL to engage in the talks in a more constructive manner.

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Comment  
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¶6. The political atmosphere is calm but tense. It is too early to gauge the impact of the talks or offer a prognosis on their success or failure. Local contacts from the NGOs involved in the mediation stressed that the "ball is in the governing party's court." Our contacts agree that the outcome of the

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talks depends on the manner in which the LCD conducts itself. They have also argued that the governing LCD can either reduce tensions by compromising, or exacerbate the situation by being intransigent. There is no indication at this point that the LCD is considering any compromise.

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